

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCH SPECIALTY INSURANCE
COMPANY,

Plaintiff,

-v.-

INTEGRATED CONSERVATION
CONTRACTING, INC.,

Defendant.

23 Civ. 02863 (JHR)

DEFAULT JUDGEMENT

JENNIFER H. REARDEN, District Judge:

On April 1, 2023, Plaintiff filed the instant action, asserting claims for breach of contract, unjust enrichment, and account stated in connection with Defendant's alleged violation of an insurance policy issued to Defendant by Plaintiff. ECF Nos. 1, 5. On April 21, 2023, Plaintiff served Defendant Integrated Conservation Contracting, Inc. with process. ECF No. 10. Its answer was therefore due on May 12, 2023. *See Fed. R. Civ. P. 12(a)(1)(A)(i)* ("A defendant must serve an answer . . . within 21 days after being served with the summons and complaint."). Defendant failed to answer or otherwise appear.

On May 15, 2023, Plaintiff filed an application for a certificate of default for Defendant, ECF Nos. 11-12, which the Clerk of Court issued that same day, ECF No. 13. On May 22, 2023, the Court issued an Order to Show Cause, directing Plaintiff to move for a default judgment by May 30, 2023 or risk dismissal of the case. ECF No. 14. On May 30, 2023, pursuant to Federal Rule of Civil Procedure 55, Plaintiff moved for a default judgment, ECF No. 15, and filed declarations and a memorandum of law in support, ECF Nos. 16-18.

On June 12, 2023, the Court issued an Order directing Defendant to show cause, by June 26, 2023, as to why a default judgment is not warranted. ECF No. 20. Also on June 12, 2023,

Plaintiff served the Court's Order on Defendant. ECF No. 21. To date, Defendant has not opposed the Order or otherwise appeared.

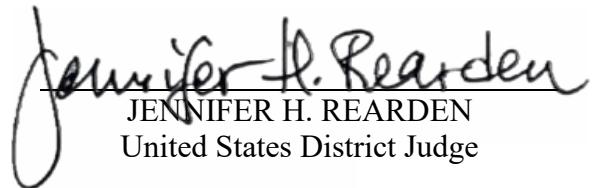
The Court has reviewed Plaintiff's motion for a default judgment and supporting submissions. Because proof of service has been filed; Defendant has failed to answer the Complaint; the time for doing so has expired; and Defendant has failed to appear to contest the entry of a default judgment, the Court enters a default judgment for Plaintiff against Defendant on all claims, in an amount to be determined at an inquest, plus costs, interest, and attorneys' fees to be determined based on a subsequent submission.

By separate Order, the Court will refer this case to Magistrate Judge Valerie Figueredo for an inquest into damages. By July 10, 2023, Plaintiff shall serve this Order upon Defendant and file an affidavit reflecting such service.

The Clerk of Court is directed to terminate ECF No. 15.

SO ORDERED.

Dated: July 3, 2023
New York, New York


JENNIFER H. REARDEN
United States District Judge